App. FAIX-4

1927-28

File No. 40-27

Previous References Prison

Serial Nos. 1 25

Later References
Pris. 12-30 (1-35)

General and Revenue Secretariat.

Serial Nos. Two

Part B for August 1928.

SUBJECT

Remission to Indian life term convicts who have served 10 yrs imprisonment for extramural work

7/8/28

JM

General and Revenue Secretariat. (Mis) File No. 40 of 1927.

Serial No.

From the D.G. of Prisons and Asylums
No C 523-2 Dated 25.11.27
Regarding for reasons given sanction of Govt for allowing in future such of the lifers who have completed 10 yrs imprisonment to be put to out door work in the outside of Jail premises

1) Subs. ~~under~~ under Rule 264 of the Jail Manual refers to those who have undergone one fourth of their substantive ~~sentence~~ term of imprisonment and those whose term of imprisonment does not exceed unexpired two years may be taken for labour outside the Jail. But under clause (c) of the same Rule a prisoner cannot be taken for out door work if he is a member of a wandering or criminal tribe, or is of a bad or dangerous character or has at any time escaped or attempted to escape from lawful Custody. A lifer is a prisoner ~~sentenced~~ sentenced for heinous offences and as such it would be a dangerous experiment to take them out for out door work. The Jail Committee has no recommendation in this matter.

2) Noted.

TKG 28/11

30/11.

NOTE—Contn. sheet.

WD 0324—5 PB—60,000—24-5-27

General and Revenue Secretariat. File No. 450 of 192

Serial No.

Para 1)

3) Rule 369 of the Jail manual lays down certain restrictions about the employment of convicts on extra mural labour. The conditions to be satisfied are as follows;-

1) That the prisoner should have served 1/4 of his sentence,

2) that when the prisoner has yet to serve more than two years the previous sanction of the Govt of India is necessary.

4) The difficulty pointed out is in respect of the 2nd condition. In the case of a prisoner sentenced for life, the sentence is reckoned at 20 years. But a life prisoner is usually given conditional release after serving 14 years., so that, as long as a life prisoner remains in the jail, he will have more than 2 years to serve, and he cannot be employed outside the jail without the ~~Govt~~ of Govt. sanction of the Govt of India

5) But it is sufficient to see what difficulty this Case, he is obliged the sanction of the Govt of India

NOTE—Contn. sheet.

WD 0321—GPB—60,000—24-5-27

General and Revenue Secretariat. File No. 40 of 1927

Serial No.

prisoners. The rule as it stands appears to be wholesome and does not appear to need relaxation.

6) In the case of life termers prisoners convicted by the Supdt B.C. Jail, he may get sanction from the D.S.P to employ them outside the Jail premises. No special sanction of Govt appears to be necessary

Gen. Secy) 1/12

Please detach linked file. [illegible]

7) Please put up a draft Suppln to abovementioned DSPR. [illegible] opinion

RB 2/12 [illegible] 2/12

8) Draft put up

9) Please put up fresh draft as revised.

9/12

10) Typed draft put up

12/12

[illegible] 9/12

[illegible] 12/12

Gen. Secy)

RB

11) [illegible] 12/12

NOTE—Contn. sheet.

WD 0324 -GPB—60,9:0—21-5-27

App. F. III—2]

General and Revenue Secretariat. Jails File No. 60- of 192?

Serial No. 2

To The D.G. of Prisons in Mysore
— Bangalore

G. 6570 d 15-12-27

State for reasons given that no Special Sanction of Govt is necessary and Regret to favour Govt with his Views in the matter

Sd/- 21/12/27

3. From the Secy

Dr C. 523-S d 27.2.28

Circular to the above forwards his views the matter of Reducing for extra hard Work Such of the life term Convicts as have Completed 10 yrs imprisonment in the Jail Sated. The Superintr Jail proposes that in the case persons who have undergone 10 yrs of their Substantive Sentences they may be considered as eligible for extra hard labour and with this end in view he proposes an addition to Rule 369(6). But it is doubtful whether the would carry the any such proposal. The Selection of Lifers so long as there (1) exists under which preference will have to be given to Convicts and Short termprisoners of whom any number often will always be available for extra hard labour

For orders

Sd/- 2/3

NOTE—Contn. sheet.

Mys. 0321 -GPD-60,9.0 -24 5-27

General and Revenue Secretariat. | File No. | of 192

Serial No.

13) Please put up draft Sanctioning
9/3
5/3

14) Draft Go Subd. The draft amendment proposed by the Supdt Boc does not seem to be alright. The word 'Substantive sentence' proposed with amendment must be replaced by the words 'Sentence including Remission' to be ~~Incorrect~~ Consistent with the Recommendation. The amendment may perhaps read as follows: — And in the Case of life term Convicts if they have undergone 10 years of ~~their Substantive~~ Sentence including Remission" For orders

B.

15) Is the discretion to permit Convicts ~~of the Class of Prisoners~~ etc who are employed on extra mural labour is vested in the Dy Inspr Gen there appears to be no need to amend Rule 369(b) —. The objection raised by the Supdt Boc Jail may be met by Changing ~~the word~~ the "Should" in Note (1) of that rule into "may".

9/3

16) Draft as directed by the Under Secy in para 13 above is also put up

K.P.
10/3/20

Does the Supdt Reply discuss this matter also?
9/3

NOTE—Contn. sheet

General and Revenue Secretariat. Press File No. 4 of 192 7

Serial No.

Draft enquiry dated
5 KP
15/3

Issue
20/3

4 The D.G of Posts
in Mysore
G 10958 dated 27.3.27
Requests for reasons given that the question
may be reexamined and a suitable
amendment proposed if necessary

5 From the D.G of Posts
in Mysore
No C. 523-16 dated 3.5.27
States for reasons given that
he does not press for an amendment
of the Rule.
Dated for perusal. The papers
may be filed.

Ans
KP
B
20/3

B
of KP
6/8

6/8

6/8

WD 0321—GPB—60,000—24-5-27

No. Office of the Inspector-General of Prisons
in Mysore,
Dated Bangalore, the 25th November 1927.

From

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The General Secretary to the Government of H. H.
the Maharaja of Mysore, Bangalore.

Sir,

In forwarding herewith, for favour of perusal copy of letter No. 1809/F. 19 dated 14th November 1927, from the Superintendent, Bangalore Central Jail in connection with sending for extramural work life-term convicts who have served in the Jail 10 years' imprisonment including ~~including~~ remission, I have the honour to request that you will be so good as to obtain sanction of Government for allowing in future such of the lifers who have completed 10 years' imprisonment to be sent to out-door work in the interests of Jail management.

I have the honour to be,
Sir,
Your most obedient servant,

Inspector-General of Prisons.

avl.

Letter No. 1809/F. 19 dated 14th November 1927 from the Superintendent, Central Jail, Bangalore, to the Inspector-General of Prisons in Mysore, B a n g a l o r e.

-@-@-@-@-@-@-

I have the honour to state that Life-term convicts who are promoted as convict Officers have been making repeated requests to be permitted to go on extra-mural duties at the Palace and the Dewan's Quarters as a sort of diversion from the dull routine of Jail life. They also contend that casuals and habituals are sent out after they satisfy the conditions prescribed in Rule 569 M.J.M. while they are deprived of this privilege, however well-behaved and however long they might have served their period of imprisonment.

Under Rule 569 Cl. 1. , those who have undergone one-fourth of their substantive term and under Cl. 2 those whose un-expired term of imrpisonment does not exceed two years may be sent out by the Superintendent. Strickly speaking, this rule applies to lifers also but no lifers are sent out as one fourth of their substantive sentence which works out to 5 years is too short a period to entitle them to go out and the unexpired portion of their term is so long as 15 years.

Under the rules relating to the recommendation of the Advisory Board, they may be recommended for release after they serve out 15 years and 4 months of their term including remission and they may even be released thereupon and thus the balance of their sentence rarely reaches the limit of 2 years as, long before that , they might be released.

Thus in the case of lifers the unexpired portion of their sentence at the time of recommendation would be (20 years----- 13 years and 4 months) 6 years and 8 months. I would however, recommend that such of the lifers as have served 10 years of imprisonment including remission may be permitted to be employed on extra-mural duties without any regard to the balance of their sentence or reference to the Inspector-General of Prisons as laid down unde

Clause

Clause 2 Rule 369 M.J.M. There are 97 lifers in this Jail at present of whom 79 have completed ⅓ of the term of their imprisonment and 31 Lifers have also completed 10 years of imprisonment including remission. Not one of these can be sent out unless a reference is made to the Inspector-General and no reference would be made to the Inspecto-General as the balance of their sentence exceeds 2 years and may even amount to 10 years.

This recommendation is made as by the acquisition of the Jail Garden for building purposes they are deprived of the, by no means negligent, advantage of working under free and cheering conditions and the rules relating to extra-mural employment cannot practically be made applicable to them unless constant reference is made to the Inspector-General of Prisons. So far as I can make out Lifers are well behaved and when casuals and habituals are shown these concessions they deserve it more than they as their offences are committed on the impulse of the moment under grave and sudden provo-cation.

-@-@-@-@-@-@-@-

"C O P Y"

Inspector-General of Prisons.

24th November 1927.

avl.

No 9 6690 dt 15.12.1927

To

The I.G. of Prisons in Mysore.

Pris 40-27-2

12/12

Sir,

With reference to your letter No.C. 523-2 dated 25th November 1927 requesting sanction of Government to permit such of the life terms convicts as have completed 10 years imprisonment to be employed on extramural labour, I am directed to observe that rule 369(b) of the Jail Manual authorises you to give permission in such cases. In the case of the life-term convicts referred to by the Superintendent in the enclosure to your letter under advertance, the Superintendent, Bangalore Central Jail may obtain permission from you to employ them outside Jail. In this view no special sanction of Government appears necessary.

dt 15.12.1927

SR Rs dr. M Seshadri

I am to request you to favour Government with your views on the ~~subject~~ Secy's Note

I have etc.,

RR 9/12

for General Secretary to Government.

Gen 7162

Pris 40-27-3

No. C.523-8 Encl. one.

Office of the Inspector-General of Prisons in Mysore,

Dated Bangalore, 27th February 1928.

28/2/28

From

The Inspector-General of Prisons in Mysore, Bangalore.

To

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

Sir,

With reference to the last para of your letter No. G.6690/Pris 40-27-2 dated 15th December 1927 calling for my views in the matter of sending for extra-mural work such of the life-term convicts as have completed 10 years imprisonment in the Jail, I have the honour to state that although rule 369 (b) of the Mysore Jail Manual authorizes me to sanction the employment of such convicts on out-door work; the Superintendent of the Jail, will not be in order in recommending them for such employment contrary to note (1) of the above said rule, which lays down that he has to select for out-door work only such prisoners who have shortest unexpired terms in preference to others. Rule 369 (b) of the Mysore Jail Manual is therefore unworkable as far as the life term convicts are concerned.

I forward herewith for favour of perusal and orders copy of letter No. 2089/F.19 dated 29th December 1927 from the Superintendent, Bangalore Central Jail on the subject.

I have the honour to be,

Sir,

Your most obedient servant,

Inspector-General of Prisons.

Letter No. 2089/F.19 dated 29th December 1927 from the Superintendent, Central Jail, Bangalore, to the Inspector-General of Prisons in Mysore, Bangalore.

-B-B-B-B-B-B-B-

With reference to your Memo No.C. 523-4 dated 23rd instant calling for my views on the suggestion of Government contained in the General Secretary's letter No.G.6690/Pris. 40-27-2 of the 15th instant, I have the honour to report that though, as pointed by Government Rule 369 (b) M.J.M. authorises you to sanction the extra-mural employment of life-term convicts who have served quarter of their sentence etc., the rule is unworkable so far as life-term convicts are concerned in as much as their cases would not be recommended as the balance of their sentences still to be undergone would be disproportionately high and a large number of prisoners fit for extramural duties could be made available from among the short termers without making a recommendation to the Inspector-General of Prisons.

For this reason I would in the interest of life-term convicts who would otherwise be deprived of the benefits of expramural duties recommend the addition of the clause " and in the case of lifers if they have undergone 10 years of their substantive sentence" after the word " years" at the end of Rule 369 (b).

-*-*-*-*-*-*-*-*-*-*-*-

" C O P Y "

Inspector-General of Prisons.

25th January 1928.

APP. F. VI. Gl.]

UBJECT.....

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W/3

Diary No. of letter replied to 7162

Section Prisons

File No. 40-37

Serial No. 4

No. 4/10955

General and Revenue Secretariat

( )

the *192*

To

The Inspector General

of Prisons in Mysore

Bangalore

Date of issue 27/3/28.

Signed by Mr. M.S

Sir,

I write reference to the Correspondence ending with your letter no C 523-8 dated 27th 2.28 in the matter of sending for extra annual work Each of the life term Convicts as have completed 10 yrs imprisonment in the Jail I am directed ~~to enquire whether after the proposed amendment to Rule 369(6) of the Mysore Jail Manual it is necessary to retain~~ note is taken Said Rule as the

List of enclosures.....

Copied by.....

Examined by .....

over

existence of that right comes not
in to the interests of the lifers.

I request you to favour Govt
with your views in the matter

observe that the ~~proposed~~
amendment proposed
by you to rule 369(b)
of the Mysore Jail Manual
would not meet the case,
~~could not be operated~~
so long as the note(1) to
the Rule is allowed to
remain as the no of
casuals and men
with the shortest imprisonment
terms would at
all times be in excess
of the requirements
for extra mural labour
~~and to~~: I am to
request that the
question may be
reexamined and
suitable ~~draft~~ amendment
proposed if absolutely
necessary

I have &c

Chief Secy
R
19/5

I have &c

L Gourlay

Pris/48

No. C. 134-54
Enc. C. 523-16

Office of the Inspector General of Prisons,
in Mysore,
Bangalore, dated 31st August 1928.

From

Dr. B. Mahomed Usmon, L.M. & S.,
Inspector General of Prisons in Mysore, Bangalore.

To

R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Sir,

With reference to your letter No. G . 10955/Pris.40-27-4 date 27th March 1928 requesting that the existing rules regarding the utilisat of life-term prisoners for extra mural work may be re-examined and an amen ment proposed if absolutely necessary, I have the honor to state that the object I had in view in making the recommendation was that life-term pris ers should, after a prolonged period of intensive skilled labour indoors, ha scope to find relaxation in extra-mural work in the open air. Much as t is desirable I do not think the matter can rank sufficiently in importanc to outweigh other general considerations such as sacrifice of efficiency involved in a reversion to unskilled labour &c. I do not therefore pres for an amendment of the rule.

I have the honor to be

Sir,

Your most obedien servant,

Inspector General of Prisons.